

DOWD, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

Goodyear Tire and Rubber Company,

Plaintiff,

v.

Dow Deutschland GmbH & Co., OHG, et al.,

Defendants.

CASE NO. 5:08 CV 1118

ORDER

The Court conducted a telephone conference on October 22, 2009 regarding a discovery dispute related to the deposition of a non-party witness in this case. The dispute involves two issues: 1) the time to be allotted for the deposition of the non-party witness; and 2) whether a settlement agreement between Goodyear and Shell, who is not a party to this case, is discoverable.

With respect to the allocation of time for deposition of the non-party witness, plaintiff shall be allocated four hours and defendants shall be allocated six hours, for a total deposition time of ten hours. Plaintiff may divide its four hours and reserve one hour to question the witness after the completion of the defendants' total time of six hours.

With respect to the question of whether the Goodyear-Shell settlement agreement is discoverable, plaintiff shall provide the settlement agreement to the Court for *in camera* review. The parties' briefs on the issue should be filed with the Court by 4:00 p.m. on October 26, 2009.

IT IS SO ORDERED.

October 22, 2009
Date

/s/ David D. Dowd, Jr.
David D. Dowd, Jr.
U.S. District Judge